

REMARKS

Claims 1-55 are pending in this application. All of the pending claims are rejected. None of the claims are currently amended. Reconsideration is requested.

Independent claims 1, 15, 25, 35, 45 and 55 are rejected under 35 U.S.C. 103(a) as being unpatentable based on US 5,748,736 (Mittra) in view of US 6,621,793 (Widegren). Applicant submits that Widegren does not qualify as prior art. This application was filed on September 13, 2000. Widegren was filed May 21, 2001. Widegren claims priority to two provisional applications: 60/206,186 filed May 22, 2000; and 60/246,501 filed November 6, 2000. However, only the 60/206,186 provisional application has an earlier filing date than this application. The Office has provided no evidence that the cited subject matter is present in the 60/206,186 provisional application. Applicant therefore traverses on the grounds that Widegren fails to qualify as prior art.

Even assuming Widegren does qualify as prior art, Applicant respectfully traverses on the grounds that the cited passages fail to teach the feature for which they are cited by the Office. The Office concedes that Mittra fails to teach distributing multicast group access control information from a distribution device to a plurality of access devices for use by the access devices in authenticating subsequent requests by individual host devices to join a television channel multicast group in order to reduce delay in authentication when a host device changes television channels, but asserts that Widegren does so at column 11, line 33 through column 12, line 24, column 13, line 52 through column 14, line 4, and column 15, line 30 through column 16, line 58. More specifically, the Office asserts that the “policy control filtering data” is equivalent to the claimed “multicast group access control information.” However, the analogy attempted by the Office is contradicted by the Widegren reference itself. As indicated in the

Abstract, Widegren describes a method for filtering and gating a data flow in a QoS connection.

As described at column 15, lines 56-62:

Policy enforcement is defined in terms of a gate implemented in the GGSN. A gate is a policy enforcement function for a unidirectional flow of packets, e.g., in either the upstream or downstream direction. At a high level, *a gate includes a packet classifier, a resource “envelope,” and an action taken when the set of packets matching the classifier exceeds the resource envelope.* (emphasis added)

With regard to the envelope, as described at column 16, lines 44-52:

The authorized envelope defines an upper bound, or “envelope,” of the *resources that are authorized* for the set of packets defined by the packet classifier. The authorized envelope can authorize more resources than are actually used. Since the authorized envelope defines IP bearer resources towards or from the external network, it is appropriate to express it in terms of IP bearer resources, such as *a peak information rate, mean information rate, and token bucket size to or from the external network.* (emphasis added)

Clearly, the policy control filtering data indicates resource allocation limits relative to QoS, not whether a particular subscriber is authorized to receive particular data. Indeed, as indicated at column 13, line 66 through column 14, line 1, “gating” concerns what data is allowed to enter the network based on those limits. In contrast, the claimed invention concerns whether a particular host device is authorized to receive multicast data that has already entered the network. Note that for IP multicast television delivery the QoS is not generally a subscriber or channel specific issue. In other words, the data stream is either adequate to support acceptable quality television or not, regardless of the channel being viewed or which subscriber is receiving the channel.

In view of the points discussed above it will be appreciated that the specifically cited passages of Widegren fail to support the rejection. The passage at column 11, line 33 through column 12, line 24, describes filtering and gating data flow in a QoS connection as the subject matter of the document. Although information to support those functions is pushed to the gateway support node, neither the information nor the described functions include distributing multicast group access control information. The passage at column 13, line 52 through column 14, line 4, discusses the gate function. However, as described in the passage, gating concerns what data is allowed to enter the network based on resource allocation limits, not *where* data that has already entered the network is delivered. Finally, the passage at column 15, line 30 through column 16, line 58 describes policy enforcement. However, none of the policy enforcement functions concern *where* data is delivered.

It is time for the Office to recognize that there is no prior art which shows the feature at issue. The Office has had eight years to examine this application, and has already undertaken numerous searches of the prior art. If these searches have not yet yielded a reference which discloses the feature, there can be no reasonable expectation that further searches will do so. Applicant has an additional reason to believe that no such art exists: the filing date of this application is close in time to the inception of the problem. Prior to the idea of delivering television through IP multicast which was proposed in about the year 2000, there was no need for faster authentication because multicast was used or proposed for applications such as telephone conferencing, video conferencing, and network application sharing, in which the user does not frequently change multicast group. Delivery of television via multicast creates a new problem because in order to change channels the television or set-top box must migrate to a different multicast group, and people tend to change channels much more rapidly and frequently

than they change conference calls, etc. Further, re-authentication for migrating to a different multicast group is relatively slow in comparison with the rate of channel change expected by the typical channel surfer. Still further, it is technically challenging to exclude non-subscribers from particular multicast groups and simultaneously permit the speedy channel changes to which subscribers have become accustomed, i.e., to have both security and fast group membership changes. The presently claimed invention helps solve these problems by distributing multicast group access control information from a distribution device to a plurality of access devices for use by the access devices in authenticating subsequent requests by individual host devices to join a television channel multicast group. Because the inception of the problem is so close in time to the filing of this application, and because the Office has failed to produce prior art which shows the claimed feature at issue in the eight years this application has been pending, Applicant suggests that no such art exists.

Withdrawal of the rejections of claims 1, 15, 25, 35, 45, and 55 is requested for the reasons stated above. Claims 2-14, 16-24, 26-34, 36-44, and 46-54 are dependent claims which further distinguish the invention, and which are allowable for the same reasons as their respective base claims. Withdrawal of the rejections of those dependent claims is therefore also requested.

This application is considered to be in condition for allowance and such action is earnestly solicited. Should there remain unresolved issues that require adverse action, it is respectfully requested that the Examiner telephone Holmes W. Anderson, Applicants' Attorney, at 978-264-4001 so that such issues may be resolved as expeditiously as possible.

Respectfully Submitted,

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Date

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